

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

THE VERIFIED APPLICATION AND PETITION OF)	
E.P.S.S., INC. (FORMERLY E.P. SANITATION)	CASE NO. 91-101
COMPANY, INC.) TO REVISE RATES)	

O R D E R

On July 23, 1991, E.P.S.S., Inc. ("E.P.S.S.") petitioned the United States Bankruptcy Court for relief under Title 11 of the United States Code. Concerned that continued action in this case might be contrary to 11 U.S.C. §362(a), the Commission refrained from proceeding with this matter. On September 17, 1991, the United States Bankruptcy Court ordered that proceedings in this matter were exempt from the provisions of 11 U.S.C. §362(a).¹

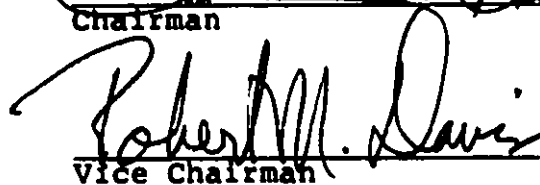
IT IS THEREFORE ORDERED that E.P.S.S. shall advise the Commission in writing within 10 days of the date of this Order as to whether it intends to prosecute its application for rate adjustment. If E.P.S.S. fails to provide such written notice within that time period or declines to proceed with this case, EPSS's application shall be dismissed without prejudice.

¹ In Re: E.P.S.S., Inc., No. 91-01454 (Bankr.E.D.Ky. Sept. 17, 1991) (Order declaring proceedings in PSC Case No. 91-101 exempted from the stay imposed by 11 U.S.C. §362(a)).

Done at Frankfort, Kentucky, this 23rd day of October, 1991.

PUBLIC SERVICE COMMISSION


Chairman


Vice Chairman

Commissioner

ATTEST:


Executive Director